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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TERESA L. JOHNSTON,

No. C-06-04644 NJV

Plaintiff,

ORDER AFTER HEARING

v.

MASTERSON COMMUNICATION;  
WESTERN GROWERS ASSURANCE TRUST;  
and DOES 1-50, inclusive;

Defendants.

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The matter having come before the court on defendant Western Growers Assurance Trust's Motion to dismiss Plaintiff's 2<sup>nd</sup> Amended Complaint pursuant to FRCP §12(b), the court orders that the matter be stayed and referred forthwith to mediation in San Francisco. If the parties are unable to resolve the case at mediation, Plaintiff is ordered to file a response to the Motion to Dismiss no later than 15 days after the completion of said mediation. The matter shall be submitted on the papers. The court further orders a Further Case Management Conference for August 14, 2007 at 1:00 P.M. in Eureka, CA. The parties to appear by video conference at that time.

**SO ORDERED.**

Dated: May 23, 2007



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NANDOR J. VADAS  
United States Magistrate Judge